



The City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
Wayne J. Franklin, Mayor Pro Tem
Bob Higley, Councilmember
Kellye Burke, Councilmember Mardi
Turner, Councilmember

STAFF

M. Chris Peifer, City Manager
Alan Petrov, City Attorney
Thelma Gilliam, City Secretary

CITY COUNCIL ACTION MINUTES

The City Council of the City of West University Place, Texas, met in regular session on **Monday, May 21, 2018**, in the Municipal Building, 3800 University, West University Place, Texas beginning at approximately **6:30 p.m.**

Agenda was as follows:

Called Meeting to Order. Mayor Sample called the meeting to order at approximately 6:30 p.m. Council and Staff in attendance were: Mayor Pro Tem Franklin, Councilmembers Burke and Higley, City Manager Peifer, City Attorney Petrov, City Secretary Gilliam, Assistant City Manager/Public Works Director Beach, Fire Chief Taylor, and Finance Director Kalka. Councilmember Turner was absent.

Richard Wilson, Chair of the Zoning and Planning Commission, was also in attendance.

Pledge of Allegiance: Councilmember Higley led the Pledge.

Notice of Meeting: City Secretary Gilliam confirmed that the notice of the meeting was duly posted in accordance with the Texas Government Code, Chapter 551.

Regular Meeting Agenda items were as follows:

1. Public Comments

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items. Commenters were:

- Cyrus Irani, 4115 Frdja, spoke in opposition of AT&T's rezoning application.
- Boris Markhasin, 4115 Ruskin, spoke in opposition of AT&T's rezoning application.
- Eric Darnauer, 4016 Ruskin, spoke in opposition of AT&T's rezoning application.
- Terence Lynch, 4112 Ruskin, spoke in opposition of the AT&T facility rezoning application.
- Lillian Irani, 4115 Ruskin, spoke in opposition of AT&T's rezoning application.
- Ray Viada, 17 Swallow Trail, Woodlands, Tx, spoke on behalf of Mr. and Mrs. Grossman's opposition of AT&T's rezoning application.
- Robert Grossman, 4103 Ruskin, spoke in opposition of AT&T's rezoning application.
- CW Culver, 4008 Ruskin, spoke in opposition of AT&T's rezoning application.
- Lindsay Munoz, 3214 Pemberton Circle, External Affairs Director for AT&T, spoke in favor of Council passing an ordinance for a public hearing to hear comments regarding AT&T's rezoning application.
- Deborah Culver, 4008 Ruskin, spoke in opposition of AT&T's rezoning application.

- Tony Marré, 1245 Waverly Street, Houston, Texas, attorney for AT&T, spoke in favor of Council passing and ordinance for a public hearing to hear comments regarding AT&T's rezone application.
- Amar Patel, 4020 Ruskin, spoke in opposition of AT&T's rezone application.
- John Tainer, 4107 Ruskin, spoke in opposition of AT&T's rezone application.
- Alida Drewes, 6112 Fordham, spoke on various issues, including opposing of AT&T's rezone application.

2. ZPC's Preliminary Report on ATT Rezone Application and Consideration of Ordinance to Call for a Joint Public Hearing

Matters related to the consideration of an ordinance calling for a public hearing as proposed by the Zoning and Planning Commission. *Recommended Action: Discuss and take any desired action.* **Mr. Dave Beach, Assistant City Manager/Public Works Director and Mr. Richard Wilson, Chair of the Zoning and Planning Commission**

After discussion, at 7:21 p.m., Mayor Sample moved to recess the regular meeting and convene into executive session per the request of Councilmember Higley. Councilmember Higley seconded the motion. **MOTION PASSED.**

Ayes: Sample, Franklin, Burke, Higley
Noes: None
Absent: Turner

At 7:36 p.m., Councilmember Burke moved to close the executive session and reconvene the regular session. Mayor Pro Tem Franklin seconded the motion. **MOTION PASSED.**

Ayes: Sample, Franklin, Burke, Higley
Noes: None
Absent: Turner

Councilmember moved that Council not grant a hearing from the Zoning and Planning Commission and stay solely with the project that is currently underway with the Zoning Board of Adjustment. **MOTION FAILED DUE TO LACK OF A SECOND.**

Assistant City Manager/Public Works Director Beach spoke to say it is the recommendation of staff and the Zoning and Planning Commission that City Council call for a Joint Public Hearing (June 11, 2018) between Council and the "ZPC to hear more information and public comments regarding the application. Mayor Pro Tem Franklin seconded the motion. **MOTION PASSED.**

Ayes: Sample, Franklin, Burke
Noes: Higley
Absent: Turner

3. Charter Review Committee (Possible Executive Session)

Matters related to the appointment of members to the Charter Review Committee. *Recommended Action: Discuss and take any desired action.* **Mr. M. Chris Peifer, City Manager**

Mayor Sample moved to have the following candidates appointed to the Charter Review Committee: Katherine Brem, Spyros Maragos, Betsy Kamin, David Furlow, Kenneth Mercado, Steven Segal, and

Dick Yehle with Candido Alvarado and Eddie Matthews serving as alternates. Mayor Pro Tem Franklin seconded the motion. **MOTION PASSED.**

Ayes: Sample, Franklin, Burke, Higley
Noes: None
Absent: Turner

4. Ordinance Amending the 2017 Budget

Matters relating to an ordinance amending the 2017 Budget. *Recommended Action: Approve ordinance amending the 2017 Budget on the first and final reading. Ms. Marie Kalka, Finance Director*

Finance Director Kalka presented and said staff recommends adopt an ordinance approving and adopting an amendment to the 2017 Budget. Councilmember Higley seconded the motion. **MOTION PASSED.**

Ayes: Sample, Franklin, Burke, Higley
Noes: None
Absent: Turner

5. Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. City Council Minutes

Approve City Council Action Minutes of April 23, 2018 and Special Meeting Minutes of May 17, 2018. *Recommended Action: Approve Minutes. Ms. Thelma Gilliam, City Secretary*

B. Construction Code Updates

Matters related to an ordinance updating the International Code Council (ICC) construction codes to the 2018 Edition including but not limited to the building, plumbing, fuel gas, mechanical, etc., 2017 National Electric Code and local amendments. *Recommended Action: Approve ordinance on second and final reading. Mr. Dave Beach, Assistant City Manager/Public Works Director and Mr. Clay Chew, Building Official*

C. Lowest Floor Elevation

Matters related to an ordinance regarding lowest floor elevation. *Recommended Action: Approve ordinance on second and final reading. Mr. Dave Beach, Assistant City Manager/Public Works Director and Mr. Clay Chew, Building Official*

D. Limitation of Fill

Matters related to an ordinance regarding lowest floor elevation. *Recommended Action: Approve ordinance on second and final reading. Mr. Dave Beach, Assistant City Manager/Public Works Director and Mr. Clay Chew, Building Official*

E. Fence Regulations

Matters related to an ordinance requiring a rot board and fence height measurement. *Recommended Action: Approve ordinance on second and final reading. Mr. Dave Beach, Assistant City Manager/Public Works Director and Mr. Clay Chew, Chief Building Official*

Councilmember Higley moved to approve the Consent Agenda as presented. Mayor Pro Tem Franklin seconded the motion. **MOTION PASSED.**

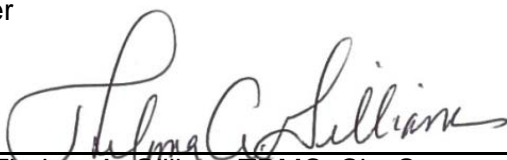
Ayes: Sample, Franklin, Burke, Higley
Noes: None
Absent: Turner

9. **Adjourn**

With no other matters before Council, Councilmember Higley moved to adjourn the meeting at approximately 7:49 p.m. Mayor Pro Tem Franklin seconded the motion. **MOTION PASSED.**

Ayes: Sample, Franklin, Burke, Higley
Noes: None
Absent: Turner

Prepared by:



Thelma A. Gilliam, TRMC, City Secretary

June 11, 2018
Council Approval Date